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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,860	08/18/1999	HENRICUS A. W. VAN GESTEL	PHN-17.070	7043

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PHILIPS ELECTRONICS NORTH AMERICAN CORP
580 WHITE PLAINS RD
TARRYTOWN, NY 10591

EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 05/28/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/376,860

Applicant(s)

VAN GESTEL ET AL.

Examiner

Jinsong Hu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-11 are presented for examination. Claims 1-6 have been amended, claims 7-11 are newly added claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Siefert et al. (US 5,726,688).
4. As per claims 6 and 8, Siefert teaches the invention as claimed including a information processing method [col. 1, lines 4-6] comprises the steps of storing primary information [File, Draw etc., Fig. 3; col. 2, lines 23-25], selecting a portion of the primary information [co. 2, line 62 & 66-67]; and deriving personalizing information for the

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selected portion of the primary information and storing the personalizing information [6B, Fig. 3; col. 3, lines 1-5; col. 8, lines 28-29 & 37-38].

5. As per claim 1, Siefert teaches the invention as claimed including an information processing device [Fig. 1] comprising a first storage device [col. 2, lines 23-25] for storing units [File, Draw etc., Fig. 3] of primary information [col. 8, lines 4-5], and a user operable interface [Fig. 3] for making selections from the units of primary information to be processed and/or from functions to be invoked [col. 8, lines 16-17], a second storage device [col. 2, line 59; col. 8, lines 28-29]; a personalizing means for deriving personalizing information from the selections in order to store the personalizing information in the second device [col. 2, line 62 – col. 3, line 5; col. 8, lines 37-38].

6. Claims 6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Anerousis et al. (US 6,498,797 B1).

7. As per claims 6 and 8, Anerousis teaches the invention as claimed including a information processing method [col. 1, lines 10-13] comprises the steps of storing primary information [305a-305c; Fig. 3; col. 6, lines 36-38 & 50-59], selecting a portion of the primary information [col. 6, lines 38-49]; and deriving personalizing information for the selected portion of the primary information and storing the personalizing information [col. 8, lines 14-18, 22-24, 45-48 & 58-61].

8. Claims 1-3 and 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Huffman et al. (WO 97/22062).

9. Huffman et al. was cited in applicant's 1449 filed on 1/21/00.

10. As per claims 8 and 10, Huffman teaches the invention as claimed including an information processing device [col. 3, lines 3-5; col. 10, lines 13-18] comprising a memory for storing primary information [760, Fig. 39; col. 8, lines 3-9], a interface [752, Fig. 39] for selecting at least a portion of the primary information [Select portion of text, Fig. 27] and a processor [754, Fig. 39] for processing the portion of the selected primary information [col. 10, lines 19-23] and deriving personalizing information for the selected portion [340, Fig. 20; 454, 456, 460, C, D, E, Fig. 27; 602, Fig. 32; col. 21, lines 7-25; col. 33, lines 8-11].

11. As per claim 9, Huffman teaches the step of storing the personalizing information in the memory [col. 21, lines 14-21].

12. As per claim 1, Huffman teaches the invention as claimed including an information processing device [col. 3, lines 3-5; col. 10, lines 13-18] comprising a first storage device [760, Fig. 39] for storing units [136, Fig. 2; col. 10, lines 24-29] of primary information [col. 8, lines 10-12], and a user operable interface [752, Fig. 39] for making selections [340, Fig. 23] from the units of primary information to be processed [col. 10,

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lines 19-23] and/or from functions to be invoked [col. 13, lines 12-18], a second storage device [768, Fig. 39]; a personalizing means for deriving personalizing information from the selections in order to store the personalizing information in the second device [340, Fig. 20; 454, 456, 460, C, D, E, Fig. 27; 602, Fig. 32; col. 21, lines 7-25; col. 33, lines 8-11].

13. As per claim 2, Huffman teaches that the personalizing means are arranged to maintain a link between a respective unit [760, Fig. 39] of said primary information and a respective unit [768, Fig. 39] of the personalizing information [col. 21, lines 7-25].

14. As per claim 3, Huffman teaches that the device includes presentation means for presenting information [764, Fig. 39], the personalizing means being arranged to present a respective unit of personalizing information which is linked to a respective unit of primary information while the respective unit of primary information is being processed [col. 37, line 24 - col. 38, line 3].

15. As per claim 6, Huffman teaches the invention as claimed including a information processing method [col. 3, lines 3-5; col. 10, lines 13-18] comprises the steps of storing primary information [760, Fig. 39; col. 8, lines 3-9], selecting a portion of the primary information [Select portion of text, Fig. 27]; deriving personalizing information for the selected portion of the primary information and storing the personalizing information

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[340, Fig. 20; 454, 456, 460, C, D, E, Fig. 27; 602, Fig. 32; col. 21, lines 7-25; col. 33, lines 8-11].

16. As per claim 7, Huffman teaches the step of deriving a history of personalizing information, using two or more selected portion of primary information [col. 36, lines 16-22].

17. As per claim 11, Huffman teaches that the deriving services to personalize stored units of primary information corresponding to the selection to form the personalizing information [340, Fig. 20; 454, 456, 460, C, D, E, Fig. 27; 602, Fig. 32; col. 21, lines 7-25; col. 33, lines 8-11].

Allowable Subject Matter

18. Claims 4 and 5 are objected to as being dependent upon a rejected base claim 1, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

19. Applicant's arguments filed on 5/12/03 for claims 1-3, and 6-11 have been fully considered but they are not deemed to be persuasive.

20. In the remarks, applicant argued in substance that (1) Huffman does not teach the personalizing information that being derived from the primary information.

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21. As to point (1), applicant has failed to consider the teaching of Huffman's reference for selecting a portion of the text from the book, performing any step including highlight option, marking option, quote capture option, bookmark etc. [col. 21, lines 7-25], wherein the marked pages being saved and display to the user as personalizing information [602, 610, Fig. 32]. Moreover, there is nothing in applicant's disclosure that clearly defines personalizing information. Therefore, any information selected or derived from a stored record can be considered as personalizing information. Accordingly, Huffman is a relevant prior art reference.

22. Applicant's amendments filed on 12/30/02 and 05/02/03 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL.

23. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax number for this Group is (703) 308-9052. Additionally, the fax numbers for Group 2100 are as follow:

Official Faxes: (703) 746-7239

After Final Responses: (703) 746-7238

Draft Responses: (703) 746-7240

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

May 21, 2003


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100